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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 DAVID PILLATOS,

12 Plaintiff,

13 v.

14 CAPT. SPENCER, *et al.*,

15 Defendants.

Case No. C07-5399 FDB/KLS

ORDER DENYING PLAINTIFF'S
MOTION TO COMPEL

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17 Before the Court is Plaintiff's motion for the production of documents. (Dkt. # 6). For the
18 reasons set forth below, Plaintiff's motion shall be denied.

19 Plaintiff was granted leave to proceed *in forma pauperis* on August 15, 2007. (Dkt. # 3). On
20 the same day, the Court directed that Plaintiff's Complaint should be filed and served by the U.S.
21 Marshall. (Dkt. # 4, 5). On August 24, 2007, prior to service of Plaintiff's Complaint on the named
22 Defendants, Plaintiff filed a motion for the production of documents at issue here. (Dkt. # 6).
23 Plaintiff's motion does not indicate that he first served the request for production of documents upon
24 the named defendants nor does the motion include a certification that he has in good faith conferred
25 with opposing counsel as required by Fed. R. Civ. P. 37(a)(2)(B).

26 **II. DISCUSSION**

27 Plaintiff's motion to compel is premature. Plaintiff is directed to Rules 26 through 37 of the

28 ORDER 1

1 Federal Rules of Civil Procedure, which govern the scope and limits of discovery. In addition,
2 Plaintiff is advised that the rules provide each party with time limits for responding to discovery
3 requests and that before a motion seeking an order compelling discovery may be filed with the
4 Court, the parties must confer in good faith in an attempt to resolve their differences. Fed. R. Civ.
5 P. 37(a)(2)(B)

6 Accordingly, it is **ORDERED**:

- 7 (1) Plaintiff's motion for the production of documents (Dkt. # 6) is **DENIED**; and
8 (2) The Clerk of the Court shall send a copy of this Order to Plaintiff and to any parties
9 that have appeared of record.

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11 DATED this 17th day of October, 2007.

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Karen L. Strombom
United States Magistrate Judge

ORDER 2